



426 Bay St., Petoskey, MI 49770 231.347.1181
www.watershedcouncil.org

**Written Testimony Regarding SB 744
Michigan Senate Natural Resources, Environment and Great Lakes Committee
Sen. Tom Casperson, Chair**

Submitted by
Dr. Grenetta Thomassey, Program Director
December 15, 2011

Mr. Chairman and Committee Members,

Thank you for the opportunity to submit testimony today regarding Senate Bill 744.

I am writing to you as a member of the Wetland Advisory Council, but our organization is also very engaged in working to keep the state Wetland Protection Program in place. That is because our work regularly involves wetland permits. We are either reviewing permit applications coming from our 4-county local service area, or submitting permit applications, ourselves, to do wetland restoration work.

We appreciate your committee taking up this bill. As you know, this legislation stems from a Wetland Advisory Council (WAC) recommendation, made in our first report to the legislature in October 2010. One of the council's charges was to examine how to improve the overall efficiency of the program, including all aspects of the permit application, review, and decision-making process. This bill amends permit deadlines to make them more applicant-friendly. If the applicant requests it, the process can be extended for 120 days to allow the applicant to allow more time. It allows additional extensions, as well, not to exceed 1 year from the application deadline.

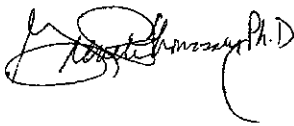
Tip of the Mitt Watershed Council fully recognizes that there is room for improvement in this program, which is why we committed to work to improve consistency and efficiency. On the other hand, we believe it is legitimate to remember that not only does DEQ approve **over 90%** of the permits applied for to work in wetlands in any given year; they also do it in 60 days, on average – a full month less turnaround time than is required by law. So, when you hear the horror stories on both ends of the spectrum, it is important to remember that those anecdotes do not represent what goes on in this program, every day. The real story is about how most of the customers who use this program get their permits in a very timely fashion, **without controversy**.

Making the program even better, improving the permitting process as much as possible, is in the best economic interests of Michigan.

The consequences of sending the Wetland Protection Program back to the federal government would be significant impacts on small businesses, individuals with wetlands on their properties, and home builders and large real estate developers. That is EXACTLY who will suffer if this program goes back, much more so than other sectors of the regulated community, though many of them will experience problems, as well. This is because the federal process includes something called a Jurisdictional Determination, connected to a Supreme Court ruling, which averages 120 days and is required before you even begin a permitting process, which also has no federally mandated timeline for completion. That is the reason we have worked so hard with so many stakeholders and legislators in prior sessions to form the Wetland Advisory Council and fully participate.

On behalf of the board, staff, and members of Tip of the Mitt Watershed Council, we thank you again for the opportunity to express our support for SB 744. We are asking for your "Yes" vote on this bill to improve the permitting process for this program.

Sincerely,



Grenetta Thomassey, PhD
Program Director
grenetta@watershedcouncil.org